

### U.S. Department of Justice

Executive Office for Immigration Review

# Office of the General Counsel

5107 Leesburg Pike, Suite 2150 Falls Church, Virginia 22041

June 4, 2019

Matthew Hoppock MuckRock News DEPT MR 69764 411A Highland Ave Somerville, MA 02144-2516

Re:

FOIA 2019-21468

Dear Mr. Hoppock,

This letter is in response to your Freedom of Information Act (FOIA) request to the Executive Office for Immigration Review (EOIR) in which you seek documents from the BIA internal webpage.

Responsive documents are enclosed. Portions of the enclosed documents have been redacted in accordance with 5 U. S.C. § 552(b)(6) to avoid a clearly unwarranted invasion of personal privacy. Additional portions have been redacted in accordance with 5 U. S.C. § 552(b)(7)(e). The reason for redaction is clearly marked on each redacted portion. Additionally, the alien case files and associated documents held in the Electronic En Banc are withheld pursuant to 5 U. S.C. § 552(b)(6) and/or 5 U. S.C. § 552(b)(5).

The Attorney Discipline chart and Recognition and Accreditation Program information are publically available at <a href="https://www.justice.gov/eoir/attorney-discipline-program">https://www.justice.gov/eoir/recognition-and-accreditation-program</a>. Lastly, the Attorney General Certification Chart contains equities belonging to the Office of the Attorney General and has been referred to the Office of Information Policy for direct response to you.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. See http://www.justice.gov/oip/foiapost/2012foiapost9.html.

You may contact our FOIA Public Liaison at the telephone number 703-605-1297 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records

Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <a href="https://www.foiaonline.gov/foiaonline/action/public/home">https://www.foiaonline.gov/foiaonline/action/public/home</a>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

Joseph R. Schaaf

Senior Counsel for Administrative Law

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# **EN BANC POSTING CHECKLIST**

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Issue statement:						
3						
En banc history or other information						
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# BIA Electronic En Banc User Guide Current as of January 2018

# **EEB Users**

# Login

Click OK to log onto the BIA Electronic En Banc (EEB). (See Figure 1)



Figure 1: Login screen

Current

(b) (6)

Lest Manufacture

Repost Vote

No Record is Available

Special Vote

No Record is Available

Pre- Conference Comments

Lest Manufacture

L

Click the **Current** button to view a list of all of the current issues that are being voted on. (See Figure 2)

Figure 2: List of current issues

All current issues are listed on the screen. You can click on the titles at the top of the screen (Initial Vote, Repost Vote, Special Vote, Pre-Conference Comments, and Courtesy Post Comments) to move to those types of cases.

Click on the **Open Issue** button to view a short description of the case. (See Figure 2) When the issue opens the buttons on the right side of the screen become available. Prior to this they are shaded and you cannot use them. Click on the **Current** button to return to the main screen with the list of current issues.

<sup>&</sup>quot;Initial Vote" - For votes to discuss.

<sup>&</sup>quot;Repost Vote" - For votes on publication and/or further en banc discussion.

<sup>&</sup>quot;Special Vote" - For miscellaneous voting questions.

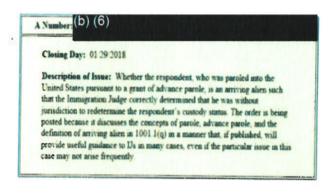
<sup>&</sup>quot;Pre-Conference Comments" - For posting comments between the vote to discuss and the day of discussion.

<sup>&</sup>quot;Courtesy Post Comments" - For posting comments after the decision to publish a case.



Figure 3: Issue Description

# Initial Vote - Issue Description



#### **View Files**

Click on the View Files button to view the files that are attached to this issue. (See Figure 4) Click on the document title listed under "Documents Available for Viewing Online" to open and view the file.

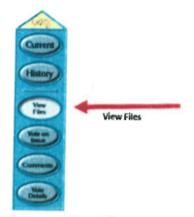
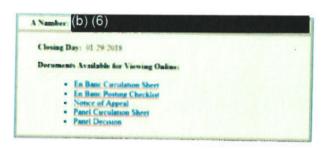


Figure 4: View Files

## Initial Vote - View Files



#### Vote on Issue

Click the **Vote on Issue** button to open the voting screen. A screen appears where you can enter and submit your vote. (See Figure 5) Click on the circles next to the choices to vote and then click **Vote**. To change your vote (before you click the Vote button) click on the **Reset** button to clear the screen. Click **Recuse** when necessary.

Note: If the closing day for the issue has passed then you cannot vote on this issue. The voting buttons do not appear when this screen is chosen.

# Initial Vote - Vote on Issue

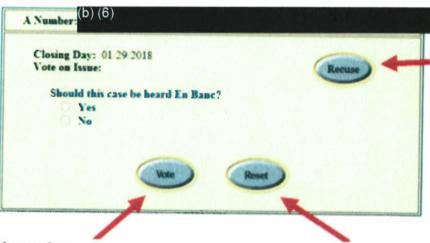


Figure 5: Vote on Issue

#### Comments

Click on the **Comments** button to view all of the comments other judges have posted regarding the issue. (See Figure 6) To view the entire comment from a judge click on the title in the Short Comment column. Click on "List of All Comments" to view all of the comments in their entirety. To add a comment, type it in the "Add Comment" box and click the **Add Comment** button. To reset a comment, click the **Reset** button.

# Initial Vote - Comments

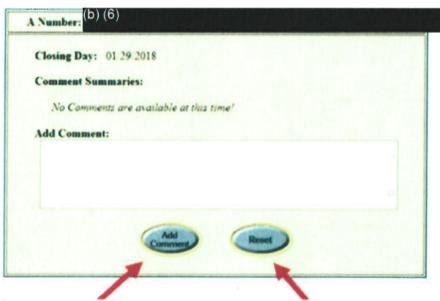


Figure 6: Comments

## **Vote Details**

Click the Vote Details button to view the details of how judges have voted on an issue.

# Initial Vote - Vote Details

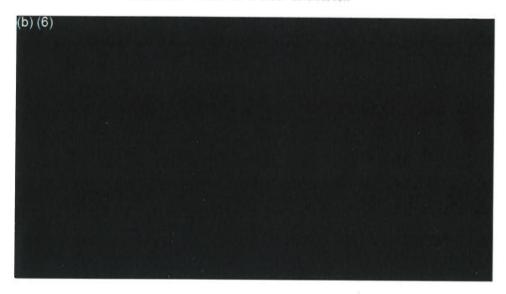


Figure 7: Vote Details

#### History

Click the **History** button to search for a past issue that came before the BIA. (See Figure 8)

#### Directions:

- Type in the information you would like to search on in the fields.
- In the Board Member Voting Information section, if you search on the Voted field you must also fill in the name field. If you search on name field you do not have to also fill in the Voted field.
- Select the type of search to use, either Detailed or Extensive. Extensive searches return results that include any of the information typed in the fields. For example, if the search is conducted on the Alien name and Comment fields the results will bring up issues that match the information in the Alien name and / or the Comment field. Detailed searches are less inclusive. If you choose Detailed, the search return results that include information typed in all of the fields. For example, if the search is conducted on the Alien name and Comment fields the results will only bring up issues that match the information in the Alien name and the Comment field.
- Click the Search button. If you would like to clear the screen and start a new search click the Reset button.

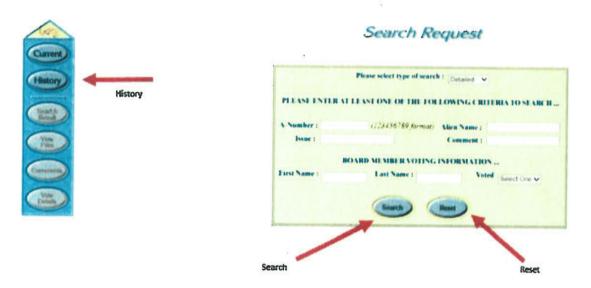
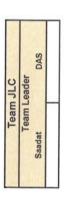


Figure 8: History

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LSW	rsw	$\rightarrow$	ML	Mullane	HGM	V		Liebmann		BSL					
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Grinberg-F GGF	GGF		Covell	Fitzgerald DSF	F Dutra	AVD C	Ching Ph	PKC Faris	ECF	Bovier JJB	Bryant	SDB Be	Belwedere	CEB A	Alcaraz
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Hope KYC	KYC		Helf SOH	Gill LJG	Geller 6	JBG F	Farmakides G8	GSF Munro	AGM	Hunter TBH	Corcos	CRC Pu	Puffer	GEP GE	Gearhart
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